

STIP

GABRIEL L. GRASSO, ESQ.
State Bar Number 7358
9525 Hillwood Drive, Suite 190
Las Vegas, Nevada 89134
(702) 868-8866
gabriel@grassodefense.com
Attorney for ORR-HUGHES

UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SARAH ORR-HUGHES,

Defendant.

Case No.: 2:18-mj-00823-VCF

STIPULATION TO CONTINUE
PRELIMINARY EXAMINATION

(FIRST REQUEST)

Certification: This stipulation is filed pursuant to General Order 2007-04.

IT IS STIPULATED between the defendant SARAH ORR-HUGHES through her attorney GABRIEL L. GRASSO, ESQ., and the United States of America, through BRANDON JARROCH, Assistant United States Attorney, that the Preliminary Examination currently scheduled for October 4, 2018, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient to this court but not earlier than thirty (30) days.

This Stipulation is entered into pursuant to General Order 2007-04 and based upon the following:

1. There have been no previous continuances granted to the defense in this case.
2. The parties are in Pre-Indictment plea negotiations and will require an additional 30 days to attempt to resolve this matter.
3. Defense counsel will be out of the jurisdiction between October 25-31.
4. The defendant is on Pretrial Release and does not object to a continuance of the preliminary hearing.

5. Denial of this request for continuance would deny defense counsel sufficient time to be able to appear at the motion to withdraw, taking into account the exercise of due diligence.
6. Also, denial of this request or continuance would result in a miscarriage of justice.
7. This is the first request for a continuance of the motion to withdraw hearing date.

DATED this 1st day of October, 2018.

RESPECTFULLY SUBMITTED BY:

/s/Brandon Jaroch
BRANDON JAROCH
Assistant United States Attorney

/s/ Gabriel L. Grasso
GABRIEL L. GRASSO
Attorney for ORR-HUGHES

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FINDINGS OF FACT

Based upon the submitted Stipulation, and good cause appearing therefore, the Court finds that:

1. The parties seek additional time for pre-indictment plea negotiations.
2. The defendant does not object to a continuance of the preliminary hearing.
3. This stipulation complies with General Order 2007-04.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny counsel the ability to explain his reasons for withdraw to the Court.
2. Additionally, denial of this request for continuance would result in a miscarriage of justice.
3. For all of the above stated reasons, the ends of justice would best be served by a continuance of the sentencing hearing date.

4. The additional time requested by the stipulation, is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).
5. This is the first request for a continuance.

ORDER

IT IS ORDERED that the PRELIMINARY EXAMINATION hearing currently scheduled for October 4, 2018, at 4:00 p.m., be vacated and continued to November 5, 2018
 at 4:00 PM.

DATED this 3rd day of October, 2018.


UNITED STATES MAGISTRATE JUDGE